

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

FORREST EVANS,
ERNESTINE HODGE, and
RAPIDO MVD SERVICES,

Plaintiffs,

v.

No. 2:20-cv-00874-KRS

MARGARET WILLIAMS, et al.

Defendants.

**MEMORANDUM OPINION AND ORDER GRANTING EXTENSION OF TIME AND
DENYING MOTION TO APPOINT COUNSEL**

THIS MATTER comes before the Court on *pro se* Plaintiffs' Motions for an extension of time to respond to the Order to Show Cause (Docs. 6, 8) and Plaintiffs' Motions to appoint counsel (Docs. 5, 7).

Plaintiffs filed a Complaint asserting claims of discrimination based on "race, age, mental disability," "harassment," and "equal protection" pursuant to 42 U.S.C. § 1983 against 22 Defendants. The Court notified Plaintiffs that many of their causes of action failed to state claims upon which relief can be granted and that many of Plaintiffs' claims appeared to be barred by the statute of limitations. *See* Order to Show Cause, Doc. 4, filed September 23, 2020. The Court ordered Plaintiffs to either: (i) show cause why the Court should not dismiss Plaintiffs' federal-law claims for the reasons stated in the Order to Show Cause; or (ii) file an amended complaint. The Court grants Plaintiffs' Motions for an additional 20 days to respond to the Order to Show Cause.

Plaintiffs also request that the Court appoint counsel to represent them in this case. Plaintiffs state that they have made a diligent effort to employ counsel, but that none of the 13

attorneys they contacted agreed to represent them. The Court denies Plaintiffs' Motions to appoint counsel. “[C]ivil litigants have no right to counsel.” *Witmer v. Grady County Jail*, 483 Fed.Appx. 458, 462 (10th Cir. 2012). Furthermore, Plaintiffs have not cited, and the Court has not found, any legal authority which would allow the Court to appoint counsel in this case. The Court refers Plaintiffs to the District of New Mexico’s Guide for Pro Se Litigants (November 2019) which, on page 6, lists resources for legal representation. The Guide for Pro Se Litigants is available on the Court’s website: www.nmd.uscourts.gov.

IT IS ORDERED that:

- (i) Plaintiff Evans's Motion Requesting Extension of Time to Show Cause, Doc. 6, filed October 8, 2020, is **GRANTED**.
- (ii) Plaintiff Hodge's Motion Requesting Extension of Time to Show Cause, Doc. 8, filed October 8, 2020, is **GRANTED**.
- (iii) Plaintiff Evans's Motion Requesting Appointment of Counsel, Doc. 5, filed October 8, 2020, is **DENIED**.
- (iv) Plaintiff Hodge's Motion Requesting Appointment of Counsel, Doc. 7, filed October 8, 2020, is **DENIED**.



KEVIN R. SWEAZEA
UNITED STATES MAGISTRATE JUDGE